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November 13, 2018

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
455 12th Street, Southwest
Washington, D.C. 20544

Dear Chairman Pai,

The Town of Avon wishes to express our disapproval of the proposals and tentative conclusions contained in the Federal Communications Commission's Sept. 25 Further Notice of Proposed Rule Making in Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992, MB Docket 05-311.

We are a small mountain community near the ski resorts of Vail and Beaver Creek. The local community access media center, High Five Access Media, cablecasts our bi-monthly town council meetings live and replays each several times. Our residents, business owners and vibrant nonprofit community rely upon this coverage to stay civically engaged with their elected leaders and town staff. The town itself relies on this coverage to assure its citizens that decisions are made in the open, transparently.

The Town of Avon, along with our neighbor, the Town of Vail, receive franchise fees from Comcast in return for allowing the company to use our public rights of way to distribute their cables and earn a profit. Both towns invest these franchise fees in High Five Access Media, which is dependent upon the funds to function.

While High Five serves both towns, it provides monthly media education workshops to the entire County at no or little cost. This education, and free access to production equipment, gives our locals, students and non-profits the means to create media that is shared with the community via cable television. Indeed, it's a way for folks to express their rights to free speech and create a dialogue among the community.

This local presence enables the residents of our Town to watch uniquely local programming about their community and local events and issues of interest to them. And that was the intent of the PEG provisions of the 1984 Cable Act – to enhance local voices, serve local community needs and interests, and strengthen our local democracy. By defining “franchise fee” in an overly broad fashion to include “in-kind” support, the FCC's proposals will shift the fair balance between cable franchising authorities and cable operators and will force communities to choose between franchise fees and PEG channels – something that was never the intent of the Act.

We appreciate your consideration and hope you will protect PEG channels in our community and others by choosing not to adopt many of the proposals in the Further Notice.

Sincerely,

A handwritten signature in blue ink, reading "Jennie Fancher". The signature is fluid and cursive, with the first name "Jennie" written in a larger, more prominent script than the last name "Fancher".

Jennie Fancher
Mayor, Town of Avon

cc:

The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner